

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BRUCE MILES BENTON,

Plaintiff,

v.

CLINGMAN, *et al.*,

Defendants.

Case No. 2:22-cv-02275-TLN-JDP

ORDER

Plaintiff, a county inmate proceeding pro se, filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On March 7, 2024, the magistrate judge filed findings and recommendations herein which were served on Plaintiff, and which contained notice to Plaintiff that any objections to the findings and recommendations were to be filed within fourteen days.¹ (ECF No. 31.) The time to file objections has passed, and Plaintiff did not file any objections.

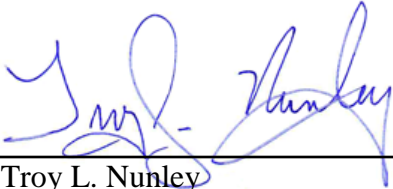
The Court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed *de novo*. *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007). Having reviewed the file, the Court finds the findings and recommendations to be supported by the record and by the proper analysis.

¹ Although it appears from the record that Plaintiff was not properly served a copy of the magistrate judge's findings and recommendations, Plaintiff was properly served. It is Plaintiff's responsibility to always keep the Court apprised of his address.

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations, filed on March 7, 2024 (ECF No. 31) are ADOPTED IN FULL;
2. This action is DISMISSED without prejudice; and
3. The Clerk of Court is directed to close this case.

Date: April 10, 2024



Troy L. Nunley
United States District Judge